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8 | UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE LARRY A. BURNS)

11 UNITED STATES OF AMERICA,) Case No. 08CR2268-LAB
12 Plaintiff,) DATE: August 25, 2008
13 v.) TIME: 2:00 p.m.
14 FERNANDO RODRIGUEZ,)
15 Defendant.)

**AMENDED EXHIBIT B TO MOTIONS TO
SUPPRESS EVIDENCE DUE TO FOURTH
AMENDMENT VIOLATIONS, ETC.**

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EXHIBIT B

1 ERICK L. GUZMAN
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9 Attorneys for Mr. Rodriguez
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13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA
15
16 (HONORABLE LARRY A. BURNS)

17
18
19 UNITED STATES OF AMERICA,) CASE NO. 08CR2268-LAB
20 Plaintiff,)
21 v.) DECLARATION OF FERNANDO
22 FERNANDO RODRIGUEZ,) RODRIGUEZ
23 Defendant.)
24

25 I, FERNANDO RODRIGUEZ, state as follows, under penalty of perjury:

26 1. I drove to the Highway 86 checkpoint on July 29, 2008.

27 2. When the agent approached me, he stated that I matched the characteristics of someone they were
28 waiting for.

29 3. Border Patrol agents took me inside of an office at the checkpoint. I did not feel free to leave this
30 office. At this point, the agents asked me if they could search my truck.

31 4. Border Patrol agents placed me inside of a small room, with my back against the wall. There were
32 two agents, and both were tall.

1 5. I felt very nervous and pressured. The agents told me that they would help me if I spoke with
2 them.

3 I swear that to the best of my knowledge and memory, the foregoing is true and correct this 05 th
4 day of August, 2008.

Fernando Rodriguez
Fernando Rodriguez
Declarant

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13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA
15 (HONORABLE LARRY A. BURNS)

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17 UNITED STATES OF AMERICA,) CASE NO. 08CR2268-LAB
18 Plaintiff,)
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20 FERNANDO RODRIGUEZ,) RODRIGUEZ
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Attorneys for Fernando Rodriguez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE LARRY A. BURNS)

UNITED STATES OF AMERICA,) Case No. 08cr2268-LAB

Plaintiff,

13 v.) **CERTIFICATE OF SERVICE**
14 FERNANDO RODRIGUEZ,)
15 Defendant.)

)

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day upon:

Rebecca Kanter
Rebecca.Kanter@usdoj.gov,glory.rascon@usdoj.gov,efile.dkt.gc1@usdoj.gov

Respectfully submitted,

DATED: August 6, 2008

/s/ Erick L. Guzman
ERICK L. GUZMAN
Federal Defenders of San Diego, Inc.
Attorneys for Fernando Rodriguez